

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

YELLOW CORPORATION, *et al.*,¹

Debtors.

Chapter 11

Case No. 23-11069 (CTG)

Re: Docket Nos. 516, 558

(Jointly Administered)

JEFF MOORE and ELIZABETH BROOK MOORE

On behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

Adv. Proc. No. 23-50457 (CTG)

Re: Docket Nos. 5, 8

YELLOW CORPORATION; USF REDDAWAY
INC.; 1105481 ONTARIO INC.; YELLOW
FREIGHT CORPORATION; EXPRESS LANE
SERVICE, INC.; YELLOW LOGISTICS, INC.,
NEW PENN MOTOR EXPRESS LLC; YRC
ASSOCIATION SOLUTIONS, INC.; ROADWAY
EXPRESS INTERNATIONAL, INC.; YRC
ENTERPRISE SERVICES, INC.; ROADWAY LLC;
YRC FREIGHT CANADA COMPANY;
ROADWAY NEXT DAY CORPORATION; YRC
INC.; USF BESTWAY INC.; YRC
INTERNATIONAL INVESTMENTS, INC.; USF
DUGAN INC.; YRC LOGISTICS INC.; USF
HOLLAND INTERNATIONAL SALES
CORPORATION; YRC LOGISTICS SERVICES,
INC.; USF HOLLAND LLC; YRC MORTGAGES,
LLC; USF REDSTAR LLC AND YRC REGIONAL
TRANSPORTATION, INC.,

Defendants.

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors' principal place of business and the Debtors' service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

ROGER KEEF, on behalf of himself and all others
similarly situated,

Plaintiff,

v.

YELLOW CORPORATION; YRC INC. (d/b/a YRC
FREIGHT)

Defendants.

Adv. Proc. No. 23-50458 (CTG)

Re: Docket Nos. 5, 8

**SECOND AMENDED² NOTICE OF AGENDA FOR HEARING SCHEDULED ON
SEPTEMBER 15, 2023 AT 11:30 A.M. (PREVAILING EASTERN TIME), BEFORE THE
HONORABLE CRAIG T. GOLDBLATT AT THE UNITED STATES BANKRUPTCY
COURT FOR THE DISTRICT OF DELAWARE, LOCATED AT 824 NORTH MARKET
STREET, 6TH FLOOR, COURTROOM NO. 3, WILMINGTON, DELAWARE 19801**

**PLEASE NOTE: THE HEARING WILL BE NOW BE CONDUCTED ENTIRELY VIA
ZOOM ONLY.**

Please see below for the connection and registration information.

**Please Note: All individuals participating by video must register at least 2 hours prior to
the hearing at the provided link. After registering your appearance by Zoom, you will
receive a confirmation email containing information about joining the hearing. You
must use your full name when registering and logging into
Zoom or you will not be granted access to the hearing.**

Registration Link:

[https://debuscourts.zoomgov.com/meeting/register/vJIsdumsqDspGEdqmg
Wet6pQ32Dw81Xlksw](https://debuscourts.zoomgov.com/meeting/register/vJIsdumsqDspGEdqmgWet6pQ32Dw81Xlksw)

RESOLVED MATTERS:

1. Motion of Debtors Seeking Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs and (II) Granting Related Relief [Filed: 8/29/23] ([Docket No. 361](#))

² Amended items are in bold.

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. [Proposed] Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs and (II) Granting Related Relief [Filed: 8/29/23] ([Docket No. 361, Exhibit A](#))
- b. Certification of No Objection Regarding Motion of Debtors Seeking Entry of an Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs and (II) Granting Related Relief [Filed: 9/11/23] ([Docket No. 443](#))
- c. [Signed] Order (I) Extending Time to File Schedules of Assets and Liabilities, Schedules of Current Income and Expenditures, Schedules of Executory Contracts and Unexpired Leases, and Statements of Financial Affairs and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 493](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

PRE-TRIAL CONFERENCE:

2. [Jeff Moore and Elizabeth Brooke Moore v. Yellow Corporation, et al. – Adv. 23-50457] Class Action Adversary Proceeding Complaint [Filed: 8/10/23] ([Docket No. 1](#))

Related Documents:

- a. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Filed: 8/10/23] ([Docket No. 3](#))
- b. Certification of Counsel Submitting Order Approving Stipulation for Extension of Time for Defendants to Answer Complaint [Filed: 9/13/23] ([Docket No. 6](#))
- c. [Signed] Order Approving Stipulation for Extension of Time for Defendants to Answer Complaint [Filed: 9/14/23] ([Docket No. 7](#))

Status: The pre-trial conference for this matter is adjourned by agreement to a date and time to be determined.

3. [Roger Keef v. Yellow Corporation, et al. – Adv. 23-50458] Class Action Adversary Proceeding Complaint [Filed: 8/7/23] ([Docket No. 1](#))

Related Documents:

- a. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Filed: 8/10/23] ([Docket No. 3](#))
- b. Summons and Notice of Pretrial Conference in an Adversary Proceeding [Filed: 8/10/23] ([Docket No. 4](#))
- c. Certification of Counsel Submitting Order Approving Stipulation for Extension of Time for Defendants to Answer Complaint [Filed: 9/14/23] ([Docket No. 6](#))
- d. [Signed] Order Approving Stipulation for Extension of Time for Defendants to Answer Complaint [Filed: 9/14/23] ([Docket No. 7](#))

Status: The pre-trial conference for this matter is adjourned by agreement to a date and time to be determined.

CONTINUED MATTERS:

4. Motion of Brett Groves for Relief From the Automatic Stay to the Extent of Liability Insurance Proceeds [Filed: 8/24/23] ([Docket No. 334](#))

Response Deadline: September 7, 2023, at 4:00 p.m. ET (*extended until October 9, 2023 at 4:00 p.m. ET*)

Responses Received: None.

Related Documents:

- a. [Proposed] Order Granting Motion for Relief from the Automatic Stay to the Extent of Liability Insurance Proceeds [Filed: 8/24/23] ([Docket No. 334, Exhibit B](#))
- b. Certification of Counsel Regarding the Joint Stipulation By and Among the Debtors and Brett Groves to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/7/23] ([Docket No. 414](#))
- c. [Signed] Order Approving the Joint Stipulation By and Among the Debtors and Brett Groves to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/8/23] ([Docket No. 427](#))

Status: This matter is adjourned by agreed stipulation to the omnibus hearing on October 23, 2023, at 10:00 a.m. ET.

5. Motion of Myriam Binette for Relief From the Automatic Stay [Filed: 8/28/23] ([Docket No. 344](#))

Response Deadline: September 7, 2023, at 4:00 p.m. ET (*extended until October 9, 2023 at 4:00 p.m. ET*)

Responses Received: None.

Related Documents:

- a. Notice of Motion of Myriam Binette for Relief from Stay Under Section 362 of the Bankruptcy Code [File: 8/30/23] ([Docket No. 364](#))
- b. Certification of Counsel Regarding The Joint Stipulation By and Among the Debtors and Myriam Binette to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/7/23] ([Docket No. 416](#))
- c. [Signed] Order Approving the Joint Stipulation By and Among the Debtors and Myriam Binette to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/8/23] ([Docket No. 429](#))

Status: This matter is adjourned by agreed stipulation to the omnibus hearing on October 23, 2023, at 10:00 a.m. ET.

6. Motion of Peapack Capital Corporation for Relief From the Automatic Stay [Filed: 8/28/23] ([Docket No. 351](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET (*extended until September 19, 2023 at 4:00 p.m. ET*)

Responses Received: None.

Related Documents:

- a. [Proposed] Order Granting Motion of Peapack Capital Corporation for Relief From the Automatic Stay [Filed: 8/28/23] ([Docket No. 351](#))

Status: The parties have agreed to adjourn this matter until September 26, 2023, at 12:00 p.m. ET.

7. Motion of Paul Clark and Jean Clark for Relief From the Automatic Stay to the Extent of Liability Insurance Proceeds [Filed: 8/29/23] ([Docket No. 358](#))

Response Deadline: September 12, 2023, at 4:00 p.m. ET (*extended until October 12, 2023 at 4:00 p.m. ET*)

Responses Received: None.

Related Documents:

- a. [Proposed] Order Granting Motion for Relief From the Automatic Stay to the Extent of Liability Insurance Proceeds [Filed: 8/29/23] ([Docket No 358, Exhibit B](#))
- b. Certification of Counsel Regarding the Joint Stipulation By and Among the Debtors and Paul Clark and Jean Clark to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/7/23] ([Docket No. 415](#))
- c. [Signed] Order Approving the Joint Stipulation By and Among the Debtors and Paul Clark and Jean Clark to (I) Extend the Deadline to Respond to Motion to Lift the Automatic Stay and (II) Extend the Hearing Date Related Thereto [Filed: 9/8/23] ([Docket No. 428](#))

Status: This matter is adjourned by agreed stipulation to the omnibus hearing on October 23, 2023, at 10:00 a.m. ET.

- 8. Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 392](#))

Response Deadline: September 14, 2023, at 4:00 p.m. ET

Responses Received:

- a. Informal comments from the Office of the United States Trustee.

Related Documents:

- a. [Proposed] Order (I) Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 392, Exhibit A](#))
- b. Amended Notice of Hearing on Motion of Debtors for Entry of an Order (I) Authorizing the Debtors to Retain and Compensate Professionals Utilized in the Ordinary Course of Business and (II) Granting Related Relief [Filed: 9/11/23] ([Docket No. 440](#))

Status: This matter is adjourned to the hearing on September 26, 2023, at 12:00 p.m. ET.

MATTERS FOR WHICH A CNO/ COC HAS BEEN FILED:

9. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and (II) Granting Related Relief [Filed: 8/7/23] ([Docket No. 4](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. [Signed] Interim Order (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and (II) Granting Related Relief [Filed: 8/9/23] ([Docket No. 175](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and (II) Granting Related Relief [Filed: 8/10/23] ([Docket No. 200](#))
- c. Certification of Counsel Regarding Final Order (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 511](#))
- d. Final Order (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 524](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

10. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition and Postpetition Taxes and Fees and (II) Granting Related Relief [Filed: 8/7/23] ([Docket No. 5](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. [Signed] Interim Order (I) Authorizing the Payment of Certain Prepetition and Postpetition Taxes and Fees and (II) Granting Related Relief [Filed: 8/17/23] ([Docket No. 276](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Payment of Certain Prepetition and Postpetition Taxes and Fees and (II) Granting Related Relief [Filed: 8/17/23] ([Docket No. 291](#))

- c. Certification of Counsel Regarding Final Order (I) Authorizing the Payment of Certain Prepetition and Postpetition Taxes and Fees and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 498](#))

Status: The Debtors have filed a revised proposed order under certification of counsel resolving this matter and respectfully requests entry of the revised proposed order.

- 11. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief [Filed: 8/7/23] ([Docket No. 6](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. [Signed] Interim (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief [Filed: 8/9/23] ([Docket No. 174](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief [Filed: 8/10/23] ([Docket No. 201](#))
- c. [Signed] Second Interim (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief [Filed: 8/21/23] ([Docket No. 311](#))
- d. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief [Filed: 9/13/23] ([Docket No. 507](#))
- e. [Signed] Final Order (I) Authorizing the Debtors to (A) Maintain Insurance Coverage Entered Into Prepetition and Pay Related Prepetition Obligations and (B) Renew, Supplement, Modify, or Purchase Insurance Coverage, (II) Approving Continuation of the Surety Bond Program, and (III) Granting Related Relief

[Filed: 9/13/23] ([Docket No. 523](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

12. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (C) Serve Certain Parties in Interest by Email, (D) Approve the Form and Manner of Service of the Notice of Commencement, and I Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File A List of Equity Security Holders, and (III) Granting Related Relief [Filed: 8/7/23] ([Docket No. 7](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. Certification of Debtors' Consolidated Creditor Matrix [Filed: 8/7/23] ([Docket No. 8](#))
- b. [Signed] Interim (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (C) Serve Certain Parties in Interest by Email, (D) Approve the Form and Manner of Service of the Notice of Commencement, and I Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File A List of Equity Security Holders, and (III) Granting Related Relief [Filed: 8/9/23] ([Docket No. 171](#))
- c. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (C) Serve Certain Parties in Interest by Email, (D) Approve the Form and Manner of Service of the Notice of Commencement, and I Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File A List of Equity Security Holders, and (III) Granting Related Relief [Filed: 8/10/23] ([Docket No. 194](#))
- d. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (C) Serve Certain Parties in Interest by Email, (D) Approve the Form and Manner of Service of the Notice of Commencement, and I Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File A List of Equity Security Holders, and (III)

Granting Related Relief [Filed: 9/12/23] ([Docket No. 500](#))

- e. [Signed] Final Order (I) Authorizing the Debtors to (A) File a Consolidated List of Creditors in Lieu of Submitting a Separate Mailing Matrix for Each Debtor, (B) File a Consolidated List of the Debtors' Thirty Largest Unsecured Creditors, (C) Serve Certain Parties in Interest by Email, (D) Approve the Form and Manner of Service of the Notice of Commencement, and I Redact Certain Personally Identifiable Information of Natural Persons, (II) Waiving the Requirement to File A List of Equity Security Holders, and (III) Granting Related Relief [Filed: 9/13/23] ([Docket No. 528](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 13. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relating Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and (II) Granting Related Relief [Filed: 8/7/23] ([Docket No. 10](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received:

- a. Informal comments from the Office of the United States Trustee, the Official Committee of Unsecured Creditors, the Junior DIP Lender, the Junior DIP Agent, the B-2 Lenders, the Treasury, the UST Tranche A Agent, the UST Tranche B Agent

Related Documents:

- a. [Signed] Interim Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relating Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and (II) Granting Related Relief [Filed: 8/9/23] ([Docket No. 178](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relating Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and (II) Granting Related Relief [Filed: 8/10/23] ([Docket No. 195](#))
- c. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relating Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 510](#))

- d. [Signed] Final Order (I) Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Relating Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions and (II) Granting Related Relief [Filed: 9/14/23] ([Docket No. 544](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 14. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 8/7/23] ([Docket No. 12](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: Informal comments from the Office of the United States Trustee, the Official Committee of Unsecured Creditors, the Junior DIP Lender, the Junior DIP Agent, the B-2 Lenders, the Treasury, the UST Tranche A Agent, the UST Tranche B Agent

Related Documents:

- a. [Signed] Interim Order (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 8/9/23] ([Docket No. 176](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 8/10/23] ([Docket No. 202](#))
- c. [Signed] Second Interim Order (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 8/21/23] ([Docket No. 310](#))
- d. Certification of Counsel Regarding Final Order (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 9/12/23] ([Docket No. 504](#))
- e. [Signed] Final Order (I) Authorizing Debtors to Pay Prepetition Claims of Certain Critical Vendors, 503(b)(9) Claimants, Lien Claimants, and Foreign Vendors, (II) Confirming Administrative Expense Priority of Outstanding Orders, and (III) Granting Related Relief [Filed: 9/13/23] ([Docket No. 517](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

15. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (A)(I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 8/7/23] ([Docket No. 13](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received:

- a. Objection to Motion Prohibiting Utilities From Discontinuing Service Motion of Debtors for Entry of Interim and Final Orders (A) (I) Approving the Debtors Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers From Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 8/25/23] ([Docket No. 337](#))
- i. Notice of Withdrawal of Objection to Motion Prohibiting Utilities From Discontinuing Service Motion of Debtors for Entry of Interim and Final Orders (A) (I) Approving the Debtors Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers From Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 9/12/23] ([Docket No. 495](#))

Related Documents:

- a. [Signed] Interim Order (A)(I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 8/17/23] ([Docket No. 277](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding (A)(I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 8/17/23] ([Docket No. 292](#))
- c. Certification of Counsel Regarding Final Order (A)(I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 9/12/23] ([Docket No. 499](#))

- d. [Signed] Final Order (A)(I) Approving the Debtors' Proposed Adequate Assurance of Payment for Future Utility Services, (II) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services, (III) Approving the Debtors' Proposed Procedures for Resolving Adequate Assurance Requests, and (B) Granting Related Relief [Filed: 9/13/23] ([Docket No. 534](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 16. Final Hearing on Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 8/7/23] ([Docket No. 19](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: Informal comments from the Office of the United States Trustee, the Official Committee of Unsecured Creditors, the Junior DIP Lender, the Junior DIP Agent, the B-2 Lenders, the Treasury, the UST Tranche A Agent, the UST Tranche B Agent

Related Documents:

- a. Supplement to Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 8/9/23] ([Docket No. 148](#))
- b. [Signed] Interim Order (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 8/9/23] ([Docket No. 177](#))
- c. Notice of Entry of Interim Order and Final Hearing Regarding Motion of the Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 8/10/23] ([Docket No. 198](#))
- d. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 506](#))
- e. [Signed] Final Order (I) Authorizing the Debtors to Consent to Limited Relief from the Automatic Stay to Permit Setoff of Certain Customer Claims Against the Debtors, and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 522](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 17. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and

Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 8/7/23] ([Docket No. 20](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received: Informal comments from the Office of the United States Trustee, the Official Committee of Unsecured Creditors, the Junior DIP Lender, the Junior DIP Agent, the B-2 Lenders, the Treasury, the UST Tranche A Agent, the UST Tranche B Agent

Related Documents:

- a. [Signed] Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 8/9/23] ([Docket No. 173](#))
- b. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 8/10/23] ([Docket No. 193](#))
- c. [Signed] Second Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 8/21/23] ([Docket No. 309](#))
- d. [Signed] Third Interim Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 9/8/23] ([Docket No. 422](#))
- e. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 503](#))
- f. Final Order (I) Authorizing the Debtors to (A) Pay Prepetition Wages, Salaries, Other Compensation, and Reimbursable Expenses and (B) Continue Employee Benefits Programs, and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 532](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

18. Motion of Debtors to Approve Procedures for De Minimis Asset Transactions and Abandonment of De Minimis Assets [Filed: 8/29/23] ([Docket No. 360](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received:

- a. Informal comments of the United States Trustee
- b. Valley National Bank's Reservation of Rights and Response to Debtors' Motion to Approve Procedures for De Minimis Asset Transactions and Abandonment of De Minimis Assets [Filed: 9/8/23] ([Docket No. 433](#))

Related Documents:

- a. [Proposed] Order Approving Procedures for De Minimis Asset Transactions and Abandonment of De Minimis Assets [Filed: 8/29/23] ([Docket No. 360, Exhibit A](#))
- b. Certification of Counsel Regarding Motion of Debtors to Approve Procedures for De Minimis Asset Transactions and Abandonment of De Minimis Assets Relief [Filed: 9/14/23] ([Docket No. 547](#))
- c. [Signed] Order Approving Procedures for De Minimis Asset Transactions and Abandonment of De Minimis Assets [Filed: 9/14/23] ([Docket No. 551](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 19. Debtors' Motion for Entry of an Order (I) Authorizing and Approving Procedures to Reject Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 391](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received:

- a. Paccar Financial Corp.'s Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures [Filed: 9/7/23] ([Docket No. 413](#))
- b. East West Bank's (I) Omnibus Objection Regarding (A) the Rejection Procedures Motion and (B) The First Omnibus Rejection Motion and (II) Reservation of Rights Regarding the Bidding Procedures Motion [Filed: 9/8/23] ([Docket No. 430](#))
- c. Joinder of Valley National Bank to PACCAR Financial Corp.'s (I) Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures; and (II) Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Filed: 9/8/23] ([Docket No. 432](#))
- d. Informal comments from USHOLL (MI) LLC

- e. Joinder of Wintrust Commercial Finance in PACCAR Financial Corp.'s (I) Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures [Dkt. No. 391]; and (II) Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Dkt. No. 22] and Joinder By Valley National Bank [Dkt. No. 432] and East West Bank's Omnibus Objection to Interim DIP Order and Interim Cash Collateral Order [Dkt. No. 442] and Reservation of Rights [Filed: 9/13/23] ([Docket No. 527](#))

Related Documents:

- a. [Proposed] Order (I) Authorizing and Approving Procedures to Reject Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 391, Exhibit A](#))
- b. Certification of Counsel Regarding Debtors' Motion for Entry of an Order (I) Authorizing and Approving Procedures to Reject Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 538](#))
- c. [Signed] Order (I) Authorizing and Approving Procedures to Reject Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Filed: 9/14/23] ([Docket No. 550](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 20. Motion of Debtors Seeking Entry of an Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, and (IV) Approving Form and Manner of Notice Thereof [Filed: 8/31/23] ([Docket No. 393](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received:

- a. Informal comments from the Office of the United States Trustee
- b. Informal comments from the Official Committee of Unsecured Creditors

Related Documents:

- a. [Proposed] Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, and (IV) Approving Form and Manner of Notice Thereof [Filed: 8/31/23] ([Docket No. 393, Exhibit A](#))

- b. Certification of Counsel Regarding Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, and (IV) Approving Form and Manner of Notice Thereof [Filed: 9/12/23] ([Docket No. 505](#))
- c. [Signed] Order (I) Setting Bar Dates for Filing Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing Amended Schedules Bar Date and Rejection Damages Bar Date, (III) Approving the Form and Manner for Filing Proofs of Claim, Including Section 503(b)(9) Requests, and (IV) Approving Form and Manner of Notice Thereof [Filed: 8/31/23] ([Docket No. 521](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

- 21. Omnibus Motion of Debtors Seeking Entry of an Order (I) Authorizing (A) Rejection of Certain Executory Contracts and Unexpired Leases Effective as of Dates Specified Herein and (B) Abandonment of Certain Personal Property, If Any, and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 394](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received:

- a. East West Bank's (I) Omnibus Objection Regarding (A) the Rejection Procedures Motion and (B) The First Omnibus Rejection Motion and (II) Reservation of Rights Regarding the Bidding Procedures Motion [Filed: 9/8/23] ([Docket No. 430](#))
- b. Informal comments from the Office of the United States Trustee

Related Documents:

- a. Order (I) Authorizing (A) Rejection of Certain Executory Contracts and Unexpired Leases Effective as of Dates Specified Herein and (B) Abandonment of Certain Personal Property, If Any, and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 394](#), [Exhibit A](#))
- b. Certification of Counsel Regarding Omnibus Motion of Debtors Seeking Entry of an Order (I) Authorizing (A) Rejection of Certain Executory Contracts and Unexpired Leases Effective as of Dates Specified Herein and (B) Abandonment of Certain Personal Property, If Any, and (II) Granting Related Relief [Filed: 9/14/23] ([Docket No. 541](#))
- c. [Signed] Order (I) Authorizing (A) Rejection of Certain Executory Contracts and Unexpired Leases Effective as of Dates Specified Herein and (B) Abandonment of Certain Personal Property, If Any, and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 548](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

22. Motion of Debtors for Entry of an Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and (II) Granting Related Relief [Filed: 9/1/23] ([Docket No. 398](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received: None.

Related Documents:

- a. [Proposed] Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and (II) Granting Related Relief [Filed: 8/31/23] ([Docket No. 398, Exhibit A](#))
- b. Certification of No Objection Regarding Motion of Debtors for Entry of an Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and (II) Granting Related Relief [Filed: 9/12/23] ([Docket No. 496](#))
- c. [Signed] Order (I) Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and (II) Granting Related Relief [Filed: 9/13/23] ([Docket No. 519](#))

Status: The Court has entered an order on this matter. No hearing is necessary.

MATTERS GOING FORWARD:

23. Final Hearing on Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/7/23] ([Docket No. 16](#))

Response Deadline: August 31, 2023, at 4:00 p.m. ET

Responses Received:

- a. Maricopa County Treasurer's Objection to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/28/23] ([Docket No. 350](#))

- b. East West Bank's Omnibus Objection to Interim DIP Order and Interim UST Cash Collateral Order [Filed: 9/11/23] ([Docket No. 442](#))
- c. World Fuel Services, Inc.'s Limited Objection to Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 9/12/23] ([Docket No. 497](#))
- d. Joinder of Wintrust Commercial Finance in PACCAR Financial Corp.'s (I) Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures [Dkt. No. 391]; and (II) Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Dkt. No. 22] and Joinder By Valley National Bank [Dkt. No. 432] and East West Bank's Omnibus Objection to Interim DIP Order and Interim Cash Collateral Order [Dkt. No. 442] and Reservation of Rights [Filed: 9/13/23] ([Docket No. 527](#))

Related Documents:

- a. Declaration of Brian Whittman, Managing Director of Alvarez & Marsal North American, LLC In Support of the Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/7/23] ([Docket No. 17](#))
- b. Declaration of Cody Leung Kaldenberg, founding Member and Partner at Ducera Partners LLC, Managing Director of Alvarez & Marsal North American, LLC In Support of the Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/7/23] ([Docket No. 18](#))
- c. Notice of Entry of Interim Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/7/23] ([Docket No. 34](#))
- d. Notice of Revised Cash Collateral Budget [Filed: 8/9/23] ([Docket No. 156](#))

- e. [Signed] Interim Order (I) Authorizing the Debtors to (A) Use Cash Collateral, and (B) Grant Liens and Superpriority Administrative Expense Claims, (II) Granting Adequate Protection to Certain Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Filed: 8/10/23] ([Docket No. 181](#))
- f. [Signed] Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Liens and Superpriority Administrative Expense Claims, (II) Granting Adequate Protection to Certain Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed: 8/18/23] ([Docket No. 302](#))
- g. [Signed] Interim UST Cash Collateral and Adequate Protection Order (I) Authorizing the Debtors to (A) Use UST Cash Collateral and All Other Prepetition UST Collateral, (II) Granting Adequate Protection, (III) Modifying the automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed: 8/18/23] ([Docket No. 303](#))
- h. Notice of Filing of Receipts Variance Covenant Exhibit to Interim Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Liens and Superpriority Administrative Expense Claims, (II) Granting Adequate Protection to Certain Prepetition Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Filed: 8/23/23] ([Docket No. 330](#))
- i. Notice of Entry of Interim DIP Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/29/23] ([Docket No. 362](#))
- j. Notice of Entry of Interim UST Cash Collateral Order and Final Hearing Regarding Motion of Debtors for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Modifying the Automatic Stay, (IV) Authorizing the Debtors to Use UST Cash Collateral, (V) Granting Adequate Protection, (VI) Scheduling a Final Hearing, and (VII) Granting Related Relief [Filed: 8/29/23] ([Docket No. 363](#))
- k. Certification of Counsel Regarding Final Order (I) Authorizing the Debtors to (A) Obtain Postpetition Financing, (B) Utilize Cash Collateral, and (C) Grant Liens and Superpriority Administrative Expense Claims, (II) Granting Adequate Protection to Certain Prepetition Secured Parties, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Filed: 9/14/23] ([Docket No. 563](#))**

I. Certification of Counsel Regarding Final UST Cash Collateral and Adequate Protection Order (I) Authorizing the Debtors to (A) Use UST Cash Collateral and All Other Prepetition UST Collateral, (II) Granting Adequate Protection, (III) Modifying the Automatic Stay, and (IV) Granting Related Relief [Filed: 9/15/23] ([Docket No. 564](#))

Status: The Debtors have filed separate certifications of counsel for the proposed final DIP order and final UST cash collateral order. The Debtors respectfully request entry of the proposed final orders. The Debtors are available to discuss any questions with the Court at the hearing.

24. Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 8/7/23] ([Docket No. 22](#))

Response Deadline: September 8, 2023, at 4:00 p.m. ET

Responses Received:

- a. PACCAR Financial Corp.'s Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Filed: 9/7/23] ([Docket No. 412](#))
- b. Reservation of Rights of the Chubb Companies with Respect to the Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 9/7/23] ([Docket No. 417](#))
- c. Limited Objection of Peacock Capital Corporation to Debtors' Motion for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 9/8/23] ([Docket No. 424](#))

- d. Objection of Orange Batavia I, LLC to Motion of the Debtors for Entry of an Order (I)(a) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets, Etc. [Filed: 9/8/23] ([Docket No. 426](#))
- e. East West Bank's (I) Omnibus Objection Regarding (A) the Rejection Procedures Motion and (B) The First Omnibus Rejection Motion and (II) Reservation of Rights Regarding the Bidding Procedures Motion [Filed: 9/8/23] ([Docket No. 430](#))
- f. Joinder of Valley National Bank to PACCAR Financial Corp.'s (I) Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures; and (II) Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Filed: 9/8/23] ([Docket No. 432](#))
- g. Joinder of Multnomah County, Oregon to Objection of Orange Batavia I, LLC to Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets, Etc. [Filed: 9/8/23] ([Docket No. 434](#))
- h. Joinder of Hawkey Transportation, Inc. to Objection of Orange Batavia I, LLC to Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets, Etc. [Filed: 9/8/23] ([Docket No. 436](#))
- i. Joinder of PPF Sudberry Ocean View Hills, L.P. to Objection of Orange Batavia I, LLC to Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets, Etc. [Filed: 9/11/23] ([Docket No. 439](#))
- j. Joinder of Wintrust Commercial Finance in PACCAR Financial Corp.'s (I) Reservation of Rights and Response to Debtors' Motion for Approval of Contract and Lease Rejection Procedures [Dkt. No. 391]; and (II) Reservation of Rights and Response to Debtors' Motion for Approval of Proposed Bidding Procedures [Dkt. No. 22] and Joinder By Valley National Bank [Dkt. No. 432] and East West Bank's Omnibus Objection to Interim DIP Order and Interim Cash Collateral Order [Dkt. No. 442] and Reservation of Rights [Filed: 9/13/23] ([Docket No. 527](#))

Related Documents:

- a. [Proposed] Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 8/7/23] ([Docket No. 22, Exhibit A](#))

- b. Notice of Hearing on Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 8/30/23] ([Docket No. 378](#))
- c. Notice of Filing of Revised Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 9/11/23] ([Docket No. 444](#))
- d. Declaration of Cody Leung Kaldenberg In Support of The Debtors' Motion for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling Auctions and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling Sale Hearings and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 9/13/23] ([Docket No. 515](#))
- e. **Certification of Counsel Regarding Revised Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors' Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief [Filed: 9/15/23] ([Docket No. 562](#))**

Status: The Debtors have filed a further revised bidding procedures order under certification of counsel and respectfully request entry of the order. The Debtors are available to discuss any questions with the Court at the hearing.

Dated: September 15, 2023
Wilmington, Delaware

/s/ Laura Davis Jones

Laura Davis Jones (DE Bar No. 2436)

Timothy P. Cairns (DE Bar No. 4228)

Peter J. Keane (DE Bar No. 5503)

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